

**UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
Charlottesville Division**

ELIZABETH SINES, SETH WISPELWEY,  
MARISSA BLAIR, TYLER MAGILL, APRIL  
MUNIZ, HANNAH PEARCE, MARCUS  
MARTIN, NATALIE ROMERO, CHELSEA  
ALVARADO, and JOHN DOE,

Plaintiffs,

v.

JASON KESSLER, RICHARD SPENCER,  
CHRISTOPHER CANTWELL, JAMES  
ALEX FIELDS, JR., VANGUARD  
AMERICA, ANDREW ANGLIN,  
MOONBASE HOLDINGS, LLC, ROBERT  
“AZZMADOR” RAY, NATHAN DAMIGO,  
ELLIOT KLINE a/k/a/ ELI MOSLEY,  
IDENTITY EVROPA, MATTHEW  
HEIMBACH, MATTHEW PARROTT a/k/a  
DAVID MATTHEW PARROTT,  
TRADITIONALIST WORKER PARTY,  
MICHAEL HILL, MICHAEL TUBBS,  
LEAGUE OF THE SOUTH, JEFF SCHOEP,  
NATIONAL SOCIALIST MOVEMENT,  
NATIONALIST FRONT, AUGUSTUS SOL  
INVICTUS, FRATERNAL ORDER OF THE  
ALT-KNIGHTS, MICHAEL “ENOCH”  
PEINOVICH, LOYAL WHITE KNIGHTS OF  
THE KU KLUX KLAN, and EAST COAST  
KNIGHTS OF THE KU KLUX KLAN a/k/a  
EAST COAST KNIGHTS OF THE TRUE  
INVISIBLE EMPIRE,

Defendants.

**Civil Action No. 3:17-cv-00072-NKM**

**JURY TRIAL DEMANDED**

**PLAINTIFFS’ MOTION TO SEAL CERTAIN EXHIBITS TO PLAINTIFFS’ MOTION  
FOR SANCTIONS AGAINST DEFENDANT VANGUARD AMERICA**

On April 16, 2019, the Court ordered that Plaintiffs “file complete and unredacted copies” of certain exhibits that Plaintiffs had referenced in their Motion for Sanctions Against Vanguard America.” (ECF No. 467.) The Court further stated that “[a]ll documents may be filed under seal in accordance with Local Rule 9.” (*Id.*) Accordingly, pursuant to the Court’s Order and for the reasons set forth below, Plaintiffs hereby respectfully request that the Court enter the enclosed proposed order sealing Exhibits 12, 26, and 33 to Plaintiffs’ Motion for Sanctions Against Defendant Vanguard America, which were submitted conditionally under seal today in this matter.

Exhibits 12 and 26 to Plaintiffs’ Motion for Sanctions Against Defendant Vanguard America were designated Highly Confidential by Defendant Vanguard America pursuant to the Order for the Production of Documents and Exchange of Confidential Information on January 3, 2018 (ECF No. 167). Although Plaintiffs reserve their right to challenge such designations, they submit this Motion in accordance with Local Rule 9 and request that Exhibits 12 and 26 be sealed. Additionally, pursuant to the contract the parties executed with the Third Party Discovery Vendor (as that term is defined in the Stipulation and Order for the Imaging, Preservation, and Productions of Documents, (ECF No. 383)), Exhibit 33 cannot not be disclosed except where disclosure to the Court is necessary for an application of relief, as it is here.

Dated: April 19, 2019

Respectfully submitted,

Roberta A. Kaplan (*pro hac vice*)  
Julie E. Fink (*pro hac vice*)  
Gabrielle E. Tenzer (*pro hac vice*)  
Michael L. Bloch (*pro hac vice*)  
Christopher B. Greene (*pro hac vice*)  
KAPLAN HECKER & FINK, LLP  
350 Fifth Avenue, Suite 7110  
New York, NY 10118  
Telephone: (212) 763-0883  
rkaplan@kaplanhecker.com  
jfink@kaplanhecker.com  
gtenzer@kaplanhecker.com  
mbloch@kaplanhecker.com  
cgreene@kaplanhecker.com

/s/  
Robert T. Cahill (VSB 38562)  
COOLEY LLP  
11951 Freedom Drive, 14th Floor  
Reston, VA 20190-5656  
Telephone: (703) 456-8000  
Fax: (703) 456-8100  
rcahill@cooley.com

Yotam Barkai (*pro hac vice*)  
BOIES SCHILLER FLEXNER LLP  
55 Hudson Yards  
New York, NY 10001  
Telephone: (212) 446-2300  
Fax: (212) 446-2350  
ybarkai@bsfllp.com

Karen L. Dunn (*pro hac vice*)  
William A. Isaacson (*pro hac vice*)  
Jessica Phillips (*pro hac vice*)  
BOIES SCHILLER FLEXNER LLP  
1401 New York Ave, NW  
Washington, DC 20005  
Telephone: (202) 237-2727  
Fax: (202) 237-6131  
kdunn@bsfllp.com  
wisaacson@bsfllp.com  
jphillips@bsfllp.com

Alan Levine (*pro hac vice*)  
COOLEY LLP  
1114 Avenue of the Americas, 46th Floor  
New York, NY 10036  
Telephone: (212) 479-6260  
Fax: (212) 479-6275  
alevine@cooley.com

David E. Mills (*pro hac vice*)  
COOLEY LLP  
1299 Pennsylvania Avenue, NW  
Suite 700  
Washington, DC 20004  
Telephone: (202) 842-7800  
Fax: (202) 842-7899  
dmills@cooley.com

*Counsel for Plaintiffs*

### CERTIFICATE OF SERVICE

I hereby certify that on April 19, 2019, I filed the foregoing with the Clerk of Court through the CM/ECF system, which will send a notice of electronic filing to:

Justin Saunders Gravatt  
David L. Hauck  
David L. Campbell  
Duane, Hauck, Davis & Gravatt, P.C.  
100 West Franklin Street, Suite 100  
Richmond, VA 23220  
jgravatt@dhdglaw.com  
dhauck@dhdglaw.com  
dcampbell@dhdglaw.com

*Counsel for Defendant James A. Fields, Jr.*

Bryan Jones  
106 W. South St., Suite 211  
Charlottesville, VA 22902  
bryan@bjoneslegal.com

*Counsel for Defendants Michael Hill,  
Michael Tubbs, and League of the South*

John A. DiNucci  
Law Office of John A. DiNucci  
8180 Greensboro Drive, Suite 1150  
McLean, VA 22102  
dinuccilaw@outlook.com

*Counsel for Defendant Richard Spencer*

William E. Rebrook, IV  
The ReBrook Law Office  
6013 Clerkenwell Court  
Burke, Virginia 22015  
edward@ReBrookLaw.com

*Counsel for Jeff Schoep, Nationalist Front,  
and National Socialist Movement*

Lisa M. Lorish  
Federal Public Defenders Office  
Western District of Virginia - Charlottesville  
401 E Market Street, Suite 106  
Charlottesville, VA 22902  
lisa\_lorish@fd.org

*Fifth Amendment Counsel for Defendant  
James A. Fields, Jr.*

Elmer Woodard  
5661 US Hwy 29  
Blairs, VA 24527  
isuecrooks@comcast.net

James E. Kolenich  
Kolenich Law Office  
9435 Waterstone Blvd. #140  
Cincinnati, OH 45249  
jek318@gmail.com

*Counsel for Defendants Matthew Parrott,  
Robert Ray, Traditionalist Worker Party,  
Jason Kessler, Vanguard America, Nathan  
Damigo, Identity Europa, Inc. (Identity  
Evropa), and Christopher Cantwell*

I further hereby certify that on April 19, 2019, I also served the following non-ECF participants, via U.S. mail, First Class and postage prepaid, addressed as follows:

Loyal White Knights of the Ku Klux Klan  
a/k/a : Loyal White Knights Church of  
the Invisible Empire, Inc.  
c/o Chris and Amanda Barker  
2634 U.S. HWY 158 E  
Yanceyville, NC 27379

Moonbase Holdings, LLC  
c/o Andrew Anglin  
P.O. Box 208  
Worthington, OH 43085

Andrew Anglin  
P.O. Box 208  
Worthington, OH 43085

East Coast Knights of the Ku Klux Klan  
a/k/a East Coast Knights of the  
True Invisible Empire  
26 South Pine St.  
Red Lion, PA 17356

Fraternal Order of the Alt-Knights  
c/o Kyle Chapman  
52 Lycett Circle  
Daly City, CA 94015

Augustus Sol Invictus  
9823 4<sup>th</sup> Avenue  
Orlando, FL 32824

I further hereby certify that on April 19, 2019, I also served the following non-ECF participants, via electronic mail, as follows:

Elliot Kline  
eli.f.mosley@gmail.com

Matthew Heimbach  
matthew.w.heimbach@gmail.com

/s/  
Robert T. Cahill (VSB 38562)  
COOLEY LLP

*Counsel for Plaintiffs*